

Appl. No. 09/314,566
Amdt. Dated 04/13/2005
Reply to Office Action of 01/13/2005

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1-3. (Cancelled).

4. (Currently Amended) A method for discarding a data packet comprising the steps of:

classifying the data packet ~~including according to~~ a type of service (TOS) indicator in order to produce an internal class service (ISC) indicator and a drop preference (DP) indicator; ~~modifying the data packet with an internal service class (ISC) indicator according to the TOS indicator;~~

modifying the data packet with a watermark (WM) indicator according to the availability of a system resource;

~~concatenating the ISC indicator, the WM indicator and a drop preference the (DP) indicator of the data packet to produce a key value;~~

~~comparing the recovered data to a committed information rate (CIR); and~~

~~discarding the data packet if the DP exceeds based on a result of a comparison of the recovered data and the CIR.~~

5. (Currently Amended) The method of claim 4 wherein the ~~step of comparing of the recovered data the ISC, WM and DP to the CIR comprises the steps of:~~

~~concatenating the ISC, WM and the DP into a key value;~~

~~finding an entry in a congestion clip table (CCT) using the ISC as a key value being a concatenation of the ISC indicator, the WM indicator and the DP indicator; and~~

~~comparing data recovered from the entry to the CIR.~~

6. (Currently Amended) The method of claim ~~45~~ wherein the ~~step of classifying of the data packet according to a TOS indicator comprises the steps of:~~

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analyzing a field of the data packet to determine a packet characteristic; and
assigning the TOS indicator based upon the packet characteristic.

7-15. (Cancelled)

16. (Currently Amended) ~~An article of manufacture for use in a computer system to discard a data packet, the article of manufacture comprising a~~ A computer usable medium having computer readable program code means embodied in the medium ~~executed by a route switch processor, the program code means including comprising:~~

~~computer-readable a first program code embodied in the computer usable medium for causing a computer to classify the data packet according to including a type of service (TOS) indicator in order to produce an internal class service (ISC) indicator and a drop preference (DP) indicator;~~

~~computer-readable program code means embodied in the computer usable medium for causing a computer to modify the data packet with an internal service class (ISC) indicator according to the TOS indicator;~~

~~a second computer-readable program code means embodied in the computer usable medium for causing the computer to modify the data packet with a watermark (WM) indicator according to the availability of a system resource;~~

~~a third computer-readable program code means embodied in the computer usable medium for causing the computer to compare concatenate the ISC indicator, the WM indicator and a drop preference the (DP) indicator of the data packet to produce a key value;~~

~~a fourth program code embodied in the computer usable medium for causing the computer to compare data recovered using the key value to a committed information rate (CIR); and~~

~~a fifth computer-readable program code means embodied in the computer usable medium for causing a computer to discard the data packet based on a result of the comparison of the data recovered and if the DP exceeds the CIR.~~

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17. (Currently Amended) The computer usable medium ~~article of manufacture of~~ claim 16 wherein the fourth computer-readable program code ~~means embodied in the computer usable medium for causing a computer to compare the ISC, WM and DP to the CIR comprises~~ is further configured to:

~~computer readable program code means embodied in the computer usable medium for causing a computer to concatenate the ISC, WM and the DP into a key value;~~

~~computer readable program code means embodied in the computer usable medium for causing a computer to finding an entry in a congestion clip table (CCT) using the key value; and~~

~~computer readable program code means embodied in the computer usable medium for causing a computer to compare the entry to the CIR.~~

18. (Currently Amended) The ~~article of manufacture of claim 16 wherein the~~ computer readable program code means embodied in the computer usable medium, wherein the first program code ~~for causing a computer to classify the data packet according to a TOS indicator comprises:~~

~~computer readable program code means embodied in the computer usable medium for causing a computer to analyze a field of the data packet to determine a packet characteristic; and~~

~~computer readable program code means embodied in the computer usable medium for causing a computer to assign the TOS indicator based upon the packet characteristic.~~